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RIGHTS OF PEOPLE WITH DISABILITIES
MEXICO
SUMMARY

The Constitution of the United States of Mexico guarantees equal protection of the law and recognizes a citizen's right to general welfare including the right to employment, to education, housing, and health care. These constitutional guarantees provide the basis for all welfare legislation safeguarding the rights of persons with disabilities, in particular the **General Law on Health 1984**, the law **National System of Social Assistance**, and on the **National System for the Integral Development of the Family**. In 1995 and 2001 some amendments were passed focusing on the disabled persons' need to barrier-free access to medical facilities and public buildings. The latter is limited to the Federal District and expected to serve as an example for corresponding state action.

Scope of Coverage.

With the exception of the mentioned federal statutes, legislation and administration of matters of the general welfare are subject to the jurisdiction of the States. Services and entitlements under federal legislation may be summarized as follows:

Social Security Legislation:

- Defines disability;
- Provides for medical insurance and pensions for disabled persons;
- Considers disabilities when determining family allowance.

General Law on Health covers:

- Social assistance;
- Education and vocational training;
- Employment during rehabilitation;
- Access to public buildings; and
- Promotion of public awareness of the needs of persons with disabilities.

National System of Social Assistance covers:

- Technical support for educational programs;
- Technical support for States and NGO programs;
- On-the-job training;
- Social assistance providers;
- Preventive and rehabilitation programs.

Legislative Objective.

The cited national statutes are intended as **social legislation** to provide a safety net for all citizens, including persons with disabilities. Growing public awareness of the needs of the disabled led to the recent amendments which, in turn, suggest a public policy of equal protection and equal rights of the disabled as active members of society through:

- Reference to the definition of disability of the Social Security Act;
- Amending existing social legislation to address particular needs of persons with disabilities;
- Emphasis on prevention and rehabilitation and uniformity of public actions.

Public Policy Implementation.

It appears that implementation of all national and state public policy programs is left to the States. One prime example is the National Public Access Program 2001, introduced by and applicable only in the Federal District.

Enforcement and Remedies.

There is no individual legal recourse similar to the ADA for discrimination in terms of improper exclusion or denial of a right based on disability. Individuals may sue in court for any violation of law. Violations carry civil and criminal penalties.